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OFFICE OF PETITIONS

In re Patent No. 6,869,763 :
Issue Date: March 22, 2005 :
Application No. 09/147,919 : ON PETITION
Filed: March 23, 1999 :
Atty Docket No. 20239-703 :

This is in response to the PETITION FOR CERTIFICATE OF CORRECTION PURSUANT TO 37 C.F.R. § 1.323 filed May 7, 2007, which is properly treated as a second request under 37 CFR 3.81(b) to correct the name of the assignee on the front page of the above-identified patent by way of a Certificate of Correction. The petition includes persuasive evidence in the form of an itemized receipt date-stamped by the OIPE that this request was originally filed on May 11, 2006.

The request is **GRANTED**.

Pursuant to the issue fee transmittal filed October 8, 2004, the patent issued in the name of assignee Bavarian Nordic Research Institute, Glostrup, Denmark. An initial petition was filed on May 26, 2005 to add two assignees omitted in error from the issue fee transmittal. By decision mailed July 14, 2005, the request was granted. On September 5, 2006, the error in omitting two assignees was corrected by way of issuance of a certificate of correction.

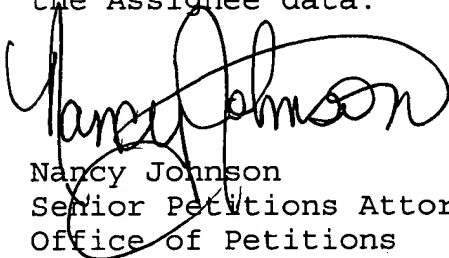
Subsequently, patentees filed this request, requesting that the name of the originally identified assignee, "Bavarian Nordic Research Institute, Glostrup, Denmark" be corrected to "Bavarian Nordic A/S, Kvistgrad (DK)" and submitted a certificate of correction for this purpose.

Petitioner's evidence and Office records show that the assignment of the above-identified application to Bavarian Nordic Research Institute A/S was recorded on August 5, 2002. Further, the change of name to Bavarian Nordic A/S was recorded on March 1, 2005. Both the recording of the assignment (Reel/Frame 013398/0031 and /0035) and the recording of the change of name (Reel/Frame 015713/0511) were before issuance of the patent on March 22, 2005.

Receipt of the required \$100 certificate of correction fee on May 11, 2006 is acknowledged. The required \$130 processing fee is being charged to Deposit Account No. 50-2518, as authorized.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3219. Inquiries regarding the issuance of a certificate of correction should be directed to the Certificate of Correction Branch at (571) 272-4200.

The Certificates of Correction Branch has been notified of this decision granting the petition under 37 CFR 3.81(b) and directing issuance of the requested Certificate of Correction to correct the Assignee data.

A handwritten signature in black ink, appearing to read "Nancy Johnson", is written over the typed name and title.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions